

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

EMANUEL THOMAS NEWMAN,	:	CIVIL ACTION NO. 1:01-CV-0677
	:	
Plaintiff	:	(Judge Conner)
	:	
v.	:	
	:	
LOUIS CAPRIO and JAMES P. WHITE,	:	
	:	
Defendants	:	

ORDER

AND NOW, this 6th day of January, 2004, upon consideration of plaintiff's motions for order of multiple writs of habeas corpus ad testificandum (Docs. 83, 86, 89), seeking court orders compelling the production of several incarcerated and non-incarcerated persons as witnesses at trial in the above-captioned case, and it appearing that one of the incarcerated witnesses, Aldrich Ames, will offer no relevant or admissible testimony, see FED. R. E. 402, 802, and that the proper method for securing the attendance of non-incarcerated witnesses is the issuance of a subpoena pursuant to Federal Rule of Civil Procedure 45, see FED. R. CIV. P. 45, it is hereby ORDERED that:

1. The following incarcerated individuals identified in plaintiff's motion (Doc. 83) shall be permitted to testify at trial in the above-captioned case: Johnny Mack Brown, Ervin D. Worthy, Bobby E. Hazel, Wayne Jackson, and Kevin Tensley.

2. Within thirty (30) days of the date of this order, counsel for defendants shall contact prison administrators to ensure the availability of locations suitable for videoconferencing at or reasonably near the facilities in which the above-named individuals are incarcerated and shall advise the Clerk of Court of the availability of such locations on the dates scheduled for trial in the above-captioned case.
3. Writs shall issue securing the appearance of the above-named individuals at locations suitable for videoconferencing on the dates scheduled for trial in the above-captioned case.
4. The motions (Doc. 83, 86, 89) are otherwise DENIED.

S/ Christopher C. Conner
CHRISTOPHER C. CONNER
United States District Judge